

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

CONRAY CARROLL

PETITIONER

v.

NO. 5:11CV00003 SWW

RAY HOBBS, Director of the
Arkansas Department of Correction

RESPONDENT

ORDER

The Court has received findings and a recommendation from Magistrate Judge H. David Young. After a careful review of the findings and recommendation, the timely objections received thereto, and a de novo review of the record, the Court concludes that the findings and recommendation should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that the designation of this case is hereby changed from one pursuant to 28 U.S.C. 2254 to one pursuant to 28 U.S.C. 1361. Having so changed the designation of this case, the petition for a writ of mandamus pursuant to 28 U.S.C. 1361 filed by petition Conray Carroll is DISMISSED WITH PREJUDICE because it is legally frivolous and otherwise fails to state a claim on which relief may be granted. Judgment

will be entered for respondent Ray Hobbs. The Court finds respondent's motion to dismiss (docket entry #11) MOOT.

IT IS SO ORDERED this 16th day of February, 2011.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE